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## FORMALITIES LETTER



\*OC000000005279455\*

UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark OfficeAddress: COMMISSIONER OF PATENT AND TRADEMARKS  
Washington, D.C. 20231

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/585,157	06/01/2000	Michael T. Kelly	PMS-260755

Pillsbury Madison & Sutro LLP  
Intellectual Property Group  
5th Floor  
50 Fremont Street  
San Francisco, CA 94105-2230



Date Mailed: 07/28/2000

## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION


FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 820.**

*A copy of this notice **MUST** be returned with the reply.*

  
Customer Service Center  
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

01/03/2001 KZEMDIE 00000089 09585157  
710.00 DP  
130.00 DP  
04 FC:101  
02 FC:105

12-29-00  
#4  
Page 1 of 2  
**CERTIFICATE OF EXPRESS MAILING**

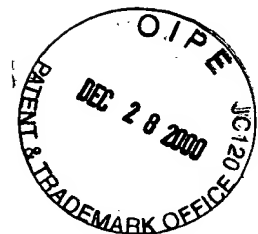
I hereby certify that this correspondence is being deposited with the United States Postal Service, Express Mail # EL688399255US, postage prepaid, in an envelope addressed to Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231-9999 on December 28, 2000

December 28, 2000

*Guy Powers*  
Guy Powers

**EL688399255US**

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**  
**FILING COMPLETION UNDER RULE 53(f)**



**COMPLETION Under  
Rule 53(f)**

In re PATENT APPLICATION of

Inventor(s): Michael T. Kelly et al.

Appln. No.:	<u>09</u>	<u>585,157</u>	Atty.Dkt.	<u>PMS-260755</u>	
	Series Code ↑	Serial No. ↑		M#	Client Ref

Filed: June 1, 2000

Title: ANTIFUNGAL AND ANTIMYCOBACTERIAL BASILISKAMIDES

Hon. Commisioner of Patents  
Washington,DC 20231  
Attn.: Box Missing Parts

Date: December 28, 2000

Sir:

The following **completes the filing** under Rule 53(f) of the above-identified patent application:

- Notice to File Missing Parts**      ☒ copy attached      ☐ not yet received
- ☒ Signed Declaration attached.      ☒ Original      ☐ Facsimile/Copy

(Always "X" box 2 if filing signed Declaration and  
"X" box 2A only if top box of the Declaration is X'd and file application copy, or  
"X" box 2B only if none of the top three boxes of the Declaration is X'd.)

2A. ☐ Attached: Original signed Declaration with attached specification (including claim(s)) which is a copy of specification and claim(s) originally filed to secure the above filing date.

2B. ☒ The original application as filed in the PTO on the above filing date is the application which each inventor executed by signing the attached Rule 63 Declaration.

3. ☐ Specification originally filed in non-English language; hence verified translation attached of:

a. ☐ Abstract

b. #            pages of Specification(only spec. & claims)

c. ☐ Drawing(s)

No of Sheets

01/03/2001 KZEWDIE 00000089 09585157

03 FC:117

890.00 OP

☐ Fig(s).

4. ☐ Letter filing formal drawing attached.

5. ☐ Attached is an assignment and cover sheet. Please return the recorded assignment to the undersigned.

6. **DOMESTIC/INTERNATIONAL** priority is claimed under 35 USC 119(e)/120/365(c) based on the following provisional, nonprovisional and/or PCT international application(s):

Application No.	Filing Date	Application No.	Filing Date
(1) 60/137,166	06/01/99	(2)	

7. **FOREIGN** priority is claimed under 35 USC 119(a)-(d)/365(b) based on filing in \_\_\_\_\_

Application No.	Filing Date	Application No.	Filing Date
(1)		(2)	

9. \_\_\_\_\_ (No.) Certified copy (copies): ☐ attached; ☐ previously filed (date) \_\_\_\_\_  
in U.S. Application No. \_\_\_\_\_ / \_\_\_\_\_ filed on \_\_\_\_\_

10. Small Entity Status ☐ ☒ is Not claimed ☐ is claimed (file PAT-256 if this is the first claim of Small Entity Status)

11. ☐ Attached:

12. ☐ Preliminary Amendment:

**THE FOLLOWING FILING FEE IS BASED ON CLAIMS AS FILED LESS ANY ABOVE CANCELLED**

				Large/Small Entity		Fee Code
13. Basic Filing Fee . . . . . Design Application				\$320/\$160		106/26
Not Design Application				\$710/\$355	+710	101/201
14. Total Effective Claims	15	minus 20 =	0	x \$18/\$9	+0	103/203
15. Independent Claims	2	minus 3 =	0	x \$80/\$40	+0	102/202
16. If <u>any proper</u> multiple dependent claim (ignore improper) is present, (Leave this line blank if this is a reissue application)				\$270/\$135	+0	104/204
17. Surcharge for filing Declaration/filing fee late				\$130/\$65	+130	105/205
18. <b>FILING FEE ENCLOSED =</b>					<b>\$840</b>	
19. Original due date: September 28, 2000						
20. Petition is hereby made to extend the original due date to				(1 mo)	\$110/\$55 =	+890
cover the date this response is filed for which the requisite fee				(2mos)	\$390/\$195 =	115/215
is attached				(3mos)	\$890/\$445 =	116/216
				(4mos)	\$1390/\$695 =	117/217
21. If "non-English" box 3 is X'd, add Rule 17(k) processing fee . . . . .				\$130	+0	139
22. If "assignment" box 5 is X'd, add recording fee. . . . .				\$40	+0	581
23. Petition Fee for				\$130	+0	
24. <b>TOTAL FEE ENCLOSED =</b>					<b>\$1730</b>	

Our Deposit Account No. 03-3975

Our Order No. 007779

026-0755

C#

M#

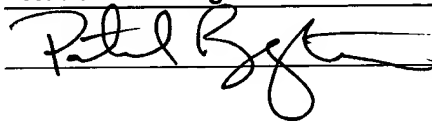
**CHARGE STATEMENT:** The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18 (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official document under Rule 20, or credit any overpayment, to our Account/Order Nos. shown in the heading hereof for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal form is filed.

**Pillsbury Madison & Sutro LLP**  
**Intellectual Property Group**

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Atty/Sec: WPB/gfp

By Atty: **W. Patrick Bengtsson**

Sig:



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